

## **REMARKS**

In the Office Action of February 14, 2006, claims 66-86 are rejected pursuant to 35 U.S.C. 112, first paragraph, as containing subject matter not described in the specification. Specifically, the limitation that “the distal portion is more flexible than the proximal portion such that the distal portion more easily deflects relative to the proximal portion” is at issue. This portion of the claim is within the general structure of the catheter body and more specifically within the portion of that structure which has a “distal portion forming a coil about a central loop axis, the central loop axis substantially parallel to the longitudinal axis.” This aspect of the catheter body structure is indeed present in Fig. 4 as described in the application at page 16, lines 18 to page 17, line 5 in relation to catheter body 82. Furthermore, this aspect would be understood by one skilled in the art to be carried over into the embodiment of Fig. 13A, which has a catheter body 402. As described on page 30, catheter body 402 has a proximal portion 416, an intermediate portion 418, and a distal portion 420. The distal portion 420 is described as forming a helix with an ablation section 422 that revolves around a central loop axis. The reader is also informed that this catheter body is formed “as with previous embodiments.” See page 30 at lines 25-26. Such a previous embodiment is that of Fig. 4A. The common structures of the catheter body of Fig. 4A and Fig. 13A, which include formation of the loop within the distal portion, necessarily includes the relative flexibility expressly described in relation to the embodiment of Fig. 4A. Thus, the conclusion in the office action that the support for the limitation at issue in the specification relates only to the Figure 4A embodiment is in error.

The written description requirement of 35 U.S.C. 112, first paragraph, merely serves to insure that the inventor had possession, as of the filing date, of the specific subject matter later claimed. How the specification accomplishes this is not material. No particular form of disclosure has to be used. The present application fully complies with the requirements of the statute. There is absolutely no disclaimer of the incorporation of the distal portion flexibility expressly

disclosed in relation to the embodiment of Figure 4A into other embodiments. Further, there is no prohibition in the statute to mixing and matching features disclosed among various embodiments into an embodiment that is not expressly described. The concluding paragraph of the application makes clear that various combinations of disclosed features can be incorporated into a single embodiment. Thus, the mere fact, which is admitted in the office action, that there is a description of a more flexible distal portion is sufficient support for the presently pending claims. It is respectfully submitted that the rejection of claims 66-86 as failing to comply with the written description requirement is in error, and therefore withdrawal of the rejection is respectfully requested.

Respectfully submitted,

MARK T. STEWART ET AL.

May 11, 2006  
Date

/Michael C. Soldner/  
Michael C. Soldner  
Reg. No. 41,455  
(763) 514-4842  
Customer No. 27581